



January 29, 2016

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## SENATE BILL No. 304

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DIGEST OF SB 304 (Updated January 26, 2016 2:34 pm - DI 120)

**Citations Affected:** IC 6-1.1; noncode.

**Synopsis:** Property tax matters. Provides that the deductions for veterans with a disability apply to individuals with a disability of at least 20% (rather than 10%, under current law). For the January 1, 2017, assessment date, increases the assessed value limit for the property tax deduction for certain veterans with a disability from \$143,160 to \$175,000. For the January 1, 2018, assessment date and each assessment date thereafter, provides that the assessed value limit is equal to: (1) the assessed value limit for the preceding assessment date; multiplied by (2) the assessed value growth quotient that is calculated in the year preceding the year in which the assessment date occurs. Provides that an individual may claim a deduction from the assessed value of the individual's homestead if: (1) the individual served in the military or naval forces of the United States; (2) the individual received an honorable discharge; (3) the individual has a disability of at least 50%; (4) the individual's disability is evidenced by a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs or by a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs; and (5) the homestead was conveyed without charge to the individual who is the owner of the homestead by an organization that is exempt from income taxation under the federal Internal Revenue Code. Specifies that a property continues to qualify as a homestead if the property is leased while the owner is away from Indiana serving on active duty in the armed forces, if the individual has lived at the property at any time during the past 10 years. (Current law specifies that a property ceases to qualify as a homestead if the property is leased while such an individual is away from Indiana.)

**Effective:** January 1, 2017.

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**Kenley, Holdman, Hershman,  
Randolph Lonnie M, Breaux**

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January 6, 2016, read first time and referred to Committee on Tax & Fiscal Policy.  
January 28, 2016, amended, reported favorably — Do Pass.

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SB 304—LS 6569/DI 73





January 29, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## SENATE BILL No. 304

A BILL FOR AN ACT to amend the Indiana Code concerning  
taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 6-1.1-12-13, AS AMENDED BY P.L.293-2013(ts),  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JANUARY 1, 2017]: Sec. 13. (a) Except as provided in section 40.5 of  
4       this chapter, an individual may have twenty-four thousand nine  
5       hundred sixty dollars (\$24,960) deducted from the assessed value of  
6       the taxable tangible property that the individual owns, or real property,  
7       a mobile home not assessed as real property, or a manufactured home  
8       not assessed as real property that the individual is buying under a  
9       contract that provides that the individual is to pay property taxes on the  
10      real property, mobile home, or manufactured home, if the contract or  
11      a memorandum of the contract is recorded in the county recorder's  
12      office and if:  
13          (1) the individual served in the military or naval forces of the  
14          United States during any of its wars;  
15          (2) the individual received an honorable discharge;  
16          (3) the individual has a disability with a service connected  
17          disability of ~~ten~~ **twenty** percent (~~10%~~) (**20%**) or more;

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(4) the individual's disability is evidenced by:

(A) a pension certificate, an award of compensation, or a disability compensation check issued by the United States Department of Veterans Affairs; or

(B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) The surviving spouse of an individual may receive the deduction provided by this section if the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death and the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) One who receives the deduction provided by this section may not receive the deduction provided by section 16 of this chapter. However, the individual may receive any other property tax deduction which the individual is entitled to by law.

(d) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

SECTION 2. IC 6-1.1-12-14, AS AMENDED BY P.L.293-2013(ts), SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of twelve thousand four hundred eighty dollars (\$12,480) deducted from the assessed value of the tangible property that the individual owns (or the real property, mobile home not



assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

(1) the individual served in the military or naval forces of the United States for at least ninety (90) days;

(2) the individual received an honorable discharge;

(3) the individual either:

(A) has a total disability; or

(B) is at least sixty-two (62) years old and has a disability of at least ~~ten~~ **twenty** percent (~~10%~~; **20%**);

(4) the individual's disability is evidenced by:

(A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or

(B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in ~~subsection~~ **subsections** (c) and (d), the surviving spouse of an individual may receive the deduction provided by this section if the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death and the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) No one is entitled to the deduction provided by this section if the assessed value of the individual's tangible property, as shown by the tax duplicate, exceeds ~~one hundred forty-three thousand one hundred sixty dollars (\$143,160)~~; **the assessed value limit specified in subsection (d).**

**(d) For the January 1, 2017, assessment date, the assessed value**



limit for purposes of subsection (c) is one hundred seventy-five thousand dollars (\$175,000). For the January 1, 2018, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is equal to the result of:

- (1) the assessed value limit applicable under this subsection for the preceding assessment date; multiplied by
- (2) the assessed value growth quotient under IC 6-1.1-18.5-2 that is calculated in the year preceding the year in which the assessment date occurs.

(d) (e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

SECTION 3. IC 6-1.1-12-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: **Sec. 14.5. (a) As used in this section, "homestead" has the meaning set forth in IC 6-1.1-12-37.**

**(b) An individual may claim a deduction from the assessed value of the individual's homestead if:**

- (1) the individual served in the military or naval forces of the United States for at least ninety (90) days;
- (2) the individual received an honorable discharge;
- (3) the individual has a disability of at least fifty percent (50%);
- (4) the individual's disability is evidenced by:
  - (A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or
  - (B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and
- (5) the homestead was conveyed without charge to the individual who is the owner of the homestead by an organization that is exempt from income taxation under the federal Internal Revenue Code.

**(c) If an individual is entitled to a deduction from assessed value under subsection (b) for the individual's homestead, the amount of**



the deduction is determined as follows:

(1) If the individual is totally disabled, the deduction is equal to one hundred percent (100%) of the assessed value of the homestead.

(2) If the individual has a disability of at least ninety percent (90%) but the individual is not totally disabled, the deduction is equal to ninety percent (90%) of the assessed value of the homestead.

(3) If the individual has a disability of at least eighty percent (80%) but less than ninety percent (90%), the deduction is equal to eighty percent (80%) of the assessed value of the homestead.

(4) If the individual has a disability of at least seventy percent (70%) but less than eighty percent (80%), the deduction is equal to seventy percent (70%) of the assessed value of the homestead.

(5) If the individual has a disability of at least sixty percent (60%) but less than seventy percent (70%), the deduction is equal to sixty percent (60%) of the assessed value of the homestead.

(6) If the individual has a disability of at least fifty percent (50%) but less than sixty percent (60%), the deduction is equal to fifty percent (50%) of the assessed value of the homestead.

(d) An individual who claims a deduction under this section for an assessment date may not also claim a deduction under section 13 or 14 of this chapter for that same assessment date.

(e) An individual who desires to claim the deduction under this section must claim the deduction in the manner specified by the department of local government finance.

SECTION 4. IC 6-1.1-12-37, AS AMENDED BY P.L.148-2015, SECTION 7, AS AMENDED BY P.L.207-2015, SECTION 1, AND AS AMENDED BY P.L.245-2015, SECTION 6, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 37. (a) The following definitions apply throughout this section:

(1) "Dwelling" means any of the following:

(A) Residential real property improvements that an individual uses as the individual's residence, including a house or garage.

(B) A mobile home that is not assessed as real property that an individual uses as the individual's residence.

(C) A manufactured home that is not assessed as real property



- 1 that an individual uses as the individual's residence.
- 2 (2) "Homestead" means an individual's principal place of  
3 residence:
- 4 (A) that is located in Indiana;
- 5 (B) that:
- 6 (i) the individual owns;
- 7 (ii) the individual is buying under a contract; recorded in the  
8 county recorder's office, that provides that the individual is  
9 to pay the property taxes on the residence, *and that obligates*  
10 *the owner to convey title to the individual upon completion*  
11 *of all of the individual's contract obligations;*
- 12 (iii) the individual is entitled to occupy as a  
13 tenant-stockholder (as defined in 26 U.S.C. 216) of a  
14 cooperative housing corporation (as defined in 26 U.S.C.  
15 216); or
- 16 (iv) is a residence described in section 17.9 of this chapter  
17 that is owned by a trust if the individual is an individual  
18 described in section 17.9 of this chapter; and
- 19 (C) that consists of a dwelling and the real estate, not  
20 exceeding one (1) acre, that immediately surrounds that  
21 dwelling.
- 22 Except as provided in subsection (k), the term does not include  
23 property owned by a corporation, partnership, limited liability  
24 company, or other entity not described in this subdivision.
- 25 (b) Each year a homestead is eligible for a standard deduction from  
26 the assessed value of the homestead for an assessment date. Except as  
27 provided in subsection (p), the deduction provided by this section  
28 applies to property taxes first due and payable for an assessment date  
29 only if an individual has an interest in the homestead described in  
30 subsection (a)(2)(B) on:
- 31 (1) the assessment date; or
- 32 (2) any date in the same year after an assessment date that a  
33 statement is filed under subsection (e) or section 44 of this  
34 chapter, if the property consists of real property.
- 35 *If more than one (1) individual or entity qualifies property as a*  
36 *homestead under subsection (a)(2)(B) for an assessment date, only one*  
37 *(1) standard deduction from the assessed value of the homestead may*  
38 *be applied for the assessment date.* Subject to subsection (c), the  
39 auditor of the county shall record and make the deduction for the  
40 individual or entity qualifying for the deduction.
- 41 (c) Except as provided in section 40.5 of this chapter, the total  
42 amount of the deduction that a person may receive under this section





for a particular year is the lesser of:

- (1) sixty percent (60%) of the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property; or
- (2) forty-five thousand dollars (\$45,000).

(d) A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

(e) Except as provided in sections 17.8 and 44 of this chapter and subject to section 45 of this chapter, an individual who desires to claim the deduction provided by this section must file a certified statement in duplicate, on forms prescribed by the department of local government finance, with the auditor of the county in which the homestead is located. The statement must include:

- (1) the parcel number or key number of the property and the name of the city, town, or township in which the property is located;
- (2) the name of any other location in which the applicant or the applicant's spouse owns, is buying, or has a beneficial interest in residential real property;
- (3) the names of:

(A) the applicant and the applicant's spouse (if any):

- (i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or
- (ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is an individual; or

(B) each individual who qualifies property as a homestead under subsection (a)(2)(B) and the individual's spouse (if any):

- (i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or
- (ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is not an individual; and

- (4) either:



(A) the last five (5) digits of the applicant's Social Security number and the last five (5) digits of the Social Security number of the applicant's spouse (if any); or

(B) if the applicant or the applicant's spouse (if any) does not have a Social Security number, any of the following for that individual:

(i) The last five (5) digits of the individual's driver's license number.

(ii) The last five (5) digits of the individual's state identification card number.

(iii) If the individual does not have a driver's license or a state identification card, the last five (5) digits of a control number that is on a document issued to the individual by the ~~federal~~ United States government and determined by the department of local government finance to be acceptable.

If a form or statement provided to the county auditor under this section, IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or part or all of the Social Security number of a party or other number described in subdivision (4)(B) of a party, the telephone number and the Social Security number or other number described in subdivision (4)(B) included are confidential. The statement may be filed in person or by mail. If the statement is mailed, the mailing must be postmarked on or before the last day for filing. The statement applies for that first year and any succeeding year for which the deduction is allowed. With respect to real property, the statement must be completed and dated in the calendar year for which the person desires to obtain the deduction and filed with the county auditor on or before January 5 of the immediately succeeding calendar year. With respect to a mobile home that is not assessed as real property, the person must file the statement during the twelve (12) months before March 31 of the year for which the person desires to obtain the deduction.

(f) If an individual who is receiving the deduction provided by this section or who otherwise qualifies property for a deduction under this section:

(1) changes the use of the individual's property so that part or all of the property no longer qualifies for the deduction under this section; or

(2) is no longer eligible for a deduction under this section on another parcel of property because:

(A) the individual would otherwise receive the benefit of more than one (1) deduction under this chapter; or

(B) the individual maintains the individual's principal place of



1 residence with another individual who receives a deduction  
 2 under this section;  
 3 the individual must file a certified statement with the auditor of the  
 4 county, notifying the auditor of the change of use, not more than sixty  
 5 (60) days after the date of that change. An individual who fails to file  
 6 the statement required by this subsection is liable for any additional  
 7 taxes that would have been due on the property if the individual had  
 8 filed the statement as required by this subsection plus a civil penalty  
 9 equal to ten percent (10%) of the additional taxes due. The civil penalty  
 10 imposed under this subsection is in addition to any interest and  
 11 penalties for a delinquent payment that might otherwise be due. One  
 12 percent (1%) of the total civil penalty collected under this subsection  
 13 shall be transferred by the county to the department of local  
 14 government finance for use by the department in establishing and  
 15 maintaining the homestead property data base under subsection (i) and,  
 16 to the extent there is money remaining, for any other purposes of the  
 17 department. This amount becomes part of the property tax liability for  
 18 purposes of this article.

19 (g) The department of local government finance ~~shall~~ *may* adopt  
 20 rules or guidelines concerning the application for a deduction under  
 21 this section.

22 (h) This subsection does not apply to property in the first year for  
 23 which a deduction is claimed under this section if the sole reason that  
 24 a deduction is claimed on other property is that the individual or  
 25 married couple maintained a principal residence at the other property  
 26 on ~~March 1~~ *the assessment date* in the same year in which an  
 27 application for a deduction is filed under this section or, if the  
 28 application is for a homestead that is assessed as personal property, on  
 29 ~~March 1~~ *the assessment date* in the immediately preceding year and the  
 30 individual or married couple is moving the individual's or married  
 31 couple's principal residence to the property that is the subject of the  
 32 application. Except as provided in subsection (n), the county auditor  
 33 may not grant an individual or a married couple a deduction under this  
 34 section if:

35 (1) the individual or married couple, for the same year, claims the  
 36 deduction on two (2) or more different applications for the  
 37 deduction; and

38 (2) the applications claim the deduction for different property.

39 (i) The department of local government finance shall provide secure  
 40 access to county auditors to a homestead property data base that  
 41 includes access to the homestead owner's name and the numbers  
 42 required from the homestead owner under subsection (e)(4) for the sole



1 purpose of verifying whether an owner is wrongly claiming a deduction  
 2 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or  
 3 IC 6-3.5.

4 (j) A county auditor may require an individual to provide evidence  
 5 proving that the individual's residence is the individual's principal place  
 6 of residence as claimed in the certified statement filed under subsection  
 7 (e). The county auditor may limit the evidence that an individual is  
 8 required to submit to a state income tax return, a valid driver's license,  
 9 or a valid voter registration card showing that the residence for which  
 10 the deduction is claimed is the individual's principal place of residence.  
 11 The department of local government finance shall work with county  
 12 auditors to develop procedures to determine whether a property owner  
 13 that is claiming a standard deduction or homestead credit is not eligible  
 14 for the standard deduction or homestead credit because the property  
 15 owner's principal place of residence is outside Indiana.

16 (k) As used in this section, "homestead" includes property that  
 17 satisfies each of the following requirements:

18 (1) The property is located in Indiana and consists of a dwelling  
 19 and the real estate, not exceeding one (1) acre, that immediately  
 20 surrounds that dwelling.

21 (2) The property is the principal place of residence of an  
 22 individual.

23 (3) The property is owned by an entity that is not described in  
 24 subsection (a)(2)(B).

25 (4) The individual residing on the property is a shareholder,  
 26 partner, or member of the entity that owns the property.

27 (5) The property was eligible for the standard deduction under  
 28 this section on March 1, 2009.

29 (l) If a county auditor terminates a deduction for property described  
 30 in subsection (k) with respect to property taxes that are:

31 (1) imposed for an assessment date in 2009; and

32 (2) first due and payable in 2010;

33 on the grounds that the property is not owned by an entity described in  
 34 subsection (a)(2)(B), the county auditor shall reinstate the deduction if  
 35 the taxpayer provides proof that the property is eligible for the  
 36 deduction in accordance with subsection (k) and that the individual  
 37 residing on the property is not claiming the deduction for any other  
 38 property.

39 (m) For assessment dates after 2009, the term "homestead" includes:

40 (1) a deck or patio;

41 (2) a gazebo; or

42 (3) another residential yard structure, as defined in rules *that may*



1 *be* adopted by the department of local government finance (other  
 2 than a swimming pool);  
 3 that is assessed as real property and attached to the dwelling.

4 (n) A county auditor shall grant an individual a deduction under this  
 5 section regardless of whether the individual and the individual's spouse  
 6 claim a deduction on two (2) different applications and each  
 7 application claims a deduction for different property if the property  
 8 owned by the individual's spouse is located outside Indiana and the  
 9 individual files an affidavit with the county auditor containing the  
 10 following information:

11 (1) The names of the county and state in which the individual's  
 12 spouse claims a deduction substantially similar to the deduction  
 13 allowed by this section.

14 (2) A statement made under penalty of perjury that the following  
 15 are true:

16 (A) That the individual and the individual's spouse maintain  
 17 separate principal places of residence.

18 (B) That neither the individual nor the individual's spouse has  
 19 an ownership interest in the other's principal place of  
 20 residence.

21 (C) That neither the individual nor the individual's spouse has,  
 22 for that same year, claimed a standard or substantially similar  
 23 deduction for any property other than the property maintained  
 24 as a principal place of residence by the respective individuals.

25 A county auditor may require an individual or an individual's spouse to  
 26 provide evidence of the accuracy of the information contained in an  
 27 affidavit submitted under this subsection. The evidence required of the  
 28 individual or the individual's spouse may include state income tax  
 29 returns, excise tax payment information, property tax payment  
 30 information, driver license information, and voter registration  
 31 information.

32 (o) If:

33 (1) a property owner files a statement under subsection (e) to  
 34 claim the deduction provided by this section for a particular  
 35 property; and

36 (2) the county auditor receiving the filed statement determines  
 37 that the property owner's property is not eligible for the deduction;

38 the county auditor shall inform the property owner of the county  
 39 auditor's determination in writing. If a property owner's property is not  
 40 eligible for the deduction because the county auditor has determined  
 41 that the property is not the property owner's principal place of  
 42 residence, the property owner may appeal the county auditor's



determination to the county property tax assessment board of appeals as provided in IC 6-1.1-15. The county auditor shall inform the property owner of the owner's right to appeal to the county property tax assessment board of appeals when the county auditor informs the property owner of the county auditor's determination under this subsection.

(p) An individual is entitled to the deduction under this section for a homestead for a particular assessment date if:

(1) either:

(A) the individual's interest in the homestead as described in subsection (a)(2)(B) is conveyed to the individual after the assessment date, but within the calendar year in which the assessment date occurs; or

(B) the individual contracts to purchase the homestead after the assessment date, but within the calendar year in which the assessment date occurs;

(2) on the assessment date:

(A) the property on which the homestead is currently located was vacant land; or

(B) the construction of the dwelling that constitutes the homestead was not completed;

(3) either:

(A) the individual files the certified statement required by subsection (e) on or before December 31 of the calendar year in which the assessment date occurs to claim the deduction under this section; or

(B) a sales disclosure form that meets the requirements of section 44 of this chapter is submitted to the county assessor on or before December 31 of the calendar year for the individual's purchase of the homestead; and

(4) the individual files with the county auditor on or before December 31 of the calendar year in which the assessment date occurs a statement that:

(A) lists any other property for which the individual would otherwise receive a deduction under this section for the assessment date; *and*

(B) *cancels the deduction described in clause (A) for that property.*

An individual who satisfies the requirements of subdivisions (1) through (4) is entitled to the deduction under this section for the homestead for the assessment date, even if on the assessment date the property on which the homestead is currently located was vacant land



or the construction of the dwelling that constitutes the homestead was not completed. The county auditor shall apply the deduction for the assessment date and for the assessment date in any later year in which the homestead remains eligible for the deduction. A homestead that qualifies for the deduction under this section as provided in this subsection is considered a homestead for purposes of section 37.5 of this chapter and IC 6-1.1-20.6. *The county auditor shall cancel the deduction under this section for any property that is located in the county and is listed on the statement filed by the individual under subdivision (4). If the property listed on the statement filed under subdivision (4) is located in another county, the county auditor who receives the statement shall forward the statement to the county auditor of that other county, and the county auditor of that other county shall cancel the deduction under this section for that property.*

(q) This subsection applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013. Notwithstanding any other provision of this section, an individual buying a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property under a contract providing that the individual is to pay the property taxes on the mobile home or manufactured home is not entitled to the deduction provided by this section unless the parties to the contract comply with IC 9-17-6-17.

(r) This subsection:

- (1) applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013; and
- (2) does not apply to an individual described in subsection (q).

The owner of a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction provided by this section.

(s) For assessment dates after 2013, the term "homestead" includes property that is owned by an individual who:

- (1) is serving on active duty in any branch of the armed forces of the United States;
- (2) was ordered to transfer to a location outside Indiana; and
- (3) was otherwise eligible, without regard to this subsection, for the deduction under this section for the property for the assessment date immediately preceding the transfer date specified in the order described in subdivision (2).

For property to qualify under this subsection for the deduction provided



1 by this section, the individual described in subdivisions (1) through (3)  
 2 must submit to the county auditor a copy of the individual's transfer  
 3 orders or other information sufficient to show that the individual was  
 4 ordered to transfer to a location outside Indiana. The property continues  
 5 to qualify for the deduction provided by this section until the individual  
 6 ceases to be on active duty, the property is sold, or the individual's  
 7 ownership interest is otherwise terminated, whichever occurs first.  
 8 Notwithstanding subsection (a)(2), the property remains a homestead  
 9 regardless of whether the property continues to be the individual's  
 10 principal place of residence after the individual transfers to a location  
 11 outside Indiana. ~~However,~~ **The property continues to qualify as a**  
 12 **homestead under this subsection if the property is leased while the**  
 13 **individual is away from Indiana and is serving on active duty, if the**  
 14 **individual has lived at the property at any time during the past ten**  
 15 **(10) years. Otherwise,** the property ceases to qualify as a homestead  
 16 under this subsection if the property is leased while the individual is  
 17 away from Indiana. Property that qualifies as a homestead under this  
 18 subsection shall also be construed as a homestead for purposes of  
 19 section 37.5 of this chapter.

20 SECTION 5. [EFFECTIVE JANUARY 1, 2017] (a)  
 21 IC 6-1.1-12-14.5, as added by this act, and IC 6-1.1-12-13,  
 22 IC 6-1.1-12-14, and IC 6-1.1-12-37, all as amended by this act,  
 23 apply to assessment dates after December 31, 2016.

24 (b) This SECTION expires January 1, 2020.





## COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 304, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-12-13, AS AMENDED BY P.L.293-2013(ts), SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 13. (a) Except as provided in section 40.5 of this chapter, an individual may have twenty-four thousand nine hundred sixty dollars (\$24,960) deducted from the assessed value of the taxable tangible property that the individual owns, or real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home, if the contract or a memorandum of the contract is recorded in the county recorder's office and if:

- (1) the individual served in the military or naval forces of the United States during any of its wars;
- (2) the individual received an honorable discharge;
- (3) the individual has a disability with a service connected disability of ~~ten~~ **twenty** percent (~~10%~~) (**20%**) or more;
- (4) the individual's disability is evidenced by:
  - (A) a pension certificate, an award of compensation, or a disability compensation check issued by the United States Department of Veterans Affairs; or
  - (B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and
- (5) the individual:
  - (A) owns the real property, mobile home, or manufactured home; or
  - (B) is buying the real property, mobile home, or manufactured home under contract;
 on the date the statement required by section 15 of this chapter is filed.

(b) The surviving spouse of an individual may receive the deduction provided by this section if the individual satisfied the requirements of



subsection (a)(1) through (a)(4) at the time of death and the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) One who receives the deduction provided by this section may not receive the deduction provided by section 16 of this chapter. However, the individual may receive any other property tax deduction which the individual is entitled to by law.

(d) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

SECTION 2. IC 6-1.1-12-14, AS AMENDED BY P.L.293-2013(ts), SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of twelve thousand four hundred eighty dollars (\$12,480) deducted from the assessed value of the tangible property that the individual owns (or the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

- (1) the individual served in the military or naval forces of the United States for at least ninety (90) days;
- (2) the individual received an honorable discharge;
- (3) the individual either:
  - (A) has a total disability; or
  - (B) is at least sixty-two (62) years old and has a disability of at least ~~ten~~ **twenty** percent (~~10%~~; **20%**);
- (4) the individual's disability is evidenced by:
  - (A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or
  - (B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the



individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in ~~subsection~~ **subsections (c) and (d)**, the surviving spouse of an individual may receive the deduction provided by this section if the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death and the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) No one is entitled to the deduction provided by this section if the assessed value of the individual's tangible property, as shown by the tax duplicate, exceeds ~~one hundred forty-three thousand one hundred sixty dollars (\$143,160)~~; **the assessed value limit specified in subsection (d).**

**(d) For the January 1, 2017, assessment date, the assessed value limit for purposes of subsection (c) is one hundred seventy-five thousand dollars (\$175,000). For the January 1, 2018, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is equal to the result of:**

**(1) the assessed value limit applicable under this subsection for the preceding assessment date; multiplied by**

**(2) the assessed value growth quotient under IC 6-1.1-18.5-2 that is calculated in the year preceding the year in which the assessment date occurs.**

~~(d)~~ **(e)** An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

SECTION 3. IC 6-1.1-12-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

**SB 304—LS 6569/DI 73**



[EFFECTIVE JANUARY 1, 2017]: **Sec. 14.5. (a)** As used in this section, "homestead" has the meaning set forth in IC 6-1.1-12-37.

**(b)** An individual may claim a deduction from the assessed value of the individual's homestead if:

- (1)** the individual served in the military or naval forces of the United States for at least ninety (90) days;
- (2)** the individual received an honorable discharge;
- (3)** the individual has a disability of at least fifty percent (50%);
- (4)** the individual's disability is evidenced by:
  - (A)** a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or
  - (B)** a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and
- (5)** the homestead was conveyed without charge to the individual who is the owner of the homestead by an organization that is exempt from income taxation under the federal Internal Revenue Code.

**(c)** If an individual is entitled to a deduction from assessed value under subsection (b) for the individual's homestead, the amount of the deduction is determined as follows:

- (1)** If the individual is totally disabled, the deduction is equal to one hundred percent (100%) of the assessed value of the homestead.
- (2)** If the individual has a disability of at least ninety percent (90%) but the individual is not totally disabled, the deduction is equal to ninety percent (90%) of the assessed value of the homestead.
- (3)** If the individual has a disability of at least eighty percent (80%) but less than ninety percent (90%), the deduction is equal to eighty percent (80%) of the assessed value of the homestead.
- (4)** If the individual has a disability of at least seventy percent (70%) but less than eighty percent (80%), the deduction is equal to seventy percent (70%) of the assessed value of the homestead.
- (5)** If the individual has a disability of at least sixty percent (60%) but less than seventy percent (70%), the deduction is



equal to sixty percent (60%) of the assessed value of the homestead.

**(6) If the individual has a disability of at least fifty percent (50%) but less than sixty percent (60%), the deduction is equal to fifty percent (50%) of the assessed value of the homestead.**

**(d) An individual who claims a deduction under this section for an assessment date may not also claim a deduction under section 13 or 14 of this chapter for that same assessment date.**

**(e) An individual who desires to claim the deduction under this section must claim the deduction in the manner specified by the department of local government finance.**

SECTION 4. IC 6-1.1-12-37, AS AMENDED BY P.L.148-2015, SECTION 7, AS AMENDED BY P.L.207-2015, SECTION 1, AND AS AMENDED BY P.L.245-2015, SECTION 6, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 37. (a) The following definitions apply throughout this section:

(1) "Dwelling" means any of the following:

(A) Residential real property improvements that an individual uses as the individual's residence, including a house or garage.

(B) A mobile home that is not assessed as real property that an individual uses as the individual's residence.

(C) A manufactured home that is not assessed as real property that an individual uses as the individual's residence.

(2) "Homestead" means an individual's principal place of residence:

(A) that is located in Indiana;

(B) that:

(i) the individual owns;

(ii) the individual is buying under a contract; recorded in the county recorder's office, that provides that the individual is to pay the property taxes on the residence, *and that obligates the owner to convey title to the individual upon completion of all of the individual's contract obligations;*

(iii) the individual is entitled to occupy as a tenant-stockholder (as defined in 26 U.S.C. 216) of a cooperative housing corporation (as defined in 26 U.S.C. 216); or

(iv) is a residence described in section 17.9 of this chapter that is owned by a trust if the individual is an individual described in section 17.9 of this chapter; and



(C) that consists of a dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

Except as provided in subsection (k), the term does not include property owned by a corporation, partnership, limited liability company, or other entity not described in this subdivision.

(b) Each year a homestead is eligible for a standard deduction from the assessed value of the homestead for an assessment date. Except as provided in subsection (p), the deduction provided by this section applies to property taxes first due and payable for an assessment date only if an individual has an interest in the homestead described in subsection (a)(2)(B) on:

- (1) the assessment date; or
- (2) any date in the same year after an assessment date that a statement is filed under subsection (e) or section 44 of this chapter, if the property consists of real property.

*If more than one (1) individual or entity qualifies property as a homestead under subsection (a)(2)(B) for an assessment date, only one (1) standard deduction from the assessed value of the homestead may be applied for the assessment date.* Subject to subsection (c), the auditor of the county shall record and make the deduction for the individual or entity qualifying for the deduction.

(c) Except as provided in section 40.5 of this chapter, the total amount of the deduction that a person may receive under this section for a particular year is the lesser of:

- (1) sixty percent (60%) of the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property; or
- (2) forty-five thousand dollars (\$45,000).

(d) A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

(e) Except as provided in sections 17.8 and 44 of this chapter and subject to section 45 of this chapter, an individual who desires to claim the deduction provided by this section must file a certified statement in duplicate, on forms prescribed by the department of local government finance, with the auditor of the county in which the homestead is located. The statement must include:



- (1) the parcel number or key number of the property and the name of the city, town, or township in which the property is located;
- (2) the name of any other location in which the applicant or the applicant's spouse owns, is buying, or has a beneficial interest in residential real property;
- (3) the names of:

- (A) the applicant and the applicant's spouse (if any):
  - (i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or
  - (ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is an individual; or

- (B) each individual who qualifies property as a homestead under subsection (a)(2)(B) and the individual's spouse (if any):

- (i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or
- (ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is not an individual; and

- (4) either:

- (A) the last five (5) digits of the applicant's Social Security number and the last five (5) digits of the Social Security number of the applicant's spouse (if any); or
- (B) if the applicant or the applicant's spouse (if any) does not have a Social Security number, any of the following for that individual:

- (i) The last five (5) digits of the individual's driver's license number.
- (ii) The last five (5) digits of the individual's state identification card number.
- (iii) If the individual does not have a driver's license or a state identification card, the last five (5) digits of a control number that is on a document issued to the individual by the *federal United States government and determined by the department of local government finance to be acceptable.*

If a form or statement provided to the county auditor under this section, IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or part or all of the Social Security number of a party or other number



described in subdivision (4)(B) of a party, the telephone number and the Social Security number or other number described in subdivision (4)(B) included are confidential. The statement may be filed in person or by mail. If the statement is mailed, the mailing must be postmarked on or before the last day for filing. The statement applies for that first year and any succeeding year for which the deduction is allowed. With respect to real property, the statement must be completed and dated in the calendar year for which the person desires to obtain the deduction and filed with the county auditor on or before January 5 of the immediately succeeding calendar year. With respect to a mobile home that is not assessed as real property, the person must file the statement during the twelve (12) months before March 31 of the year for which the person desires to obtain the deduction.

(f) If an individual who is receiving the deduction provided by this section or who otherwise qualifies property for a deduction under this section:

(1) changes the use of the individual's property so that part or all of the property no longer qualifies for the deduction under this section; or

(2) is no longer eligible for a deduction under this section on another parcel of property because:

(A) the individual would otherwise receive the benefit of more than one (1) deduction under this chapter; or

(B) the individual maintains the individual's principal place of residence with another individual who receives a deduction under this section;

the individual must file a certified statement with the auditor of the county, notifying the auditor of the change of use, not more than sixty (60) days after the date of that change. An individual who fails to file the statement required by this subsection is liable for any additional taxes that would have been due on the property if the individual had filed the statement as required by this subsection plus a civil penalty equal to ten percent (10%) of the additional taxes due. The civil penalty imposed under this subsection is in addition to any interest and penalties for a delinquent payment that might otherwise be due. One percent (1%) of the total civil penalty collected under this subsection shall be transferred by the county to the department of local government finance for use by the department in establishing and maintaining the homestead property data base under subsection (i) and, to the extent there is money remaining, for any other purposes of the department. This amount becomes part of the property tax liability for purposes of this article.





(g) The department of local government finance ~~shall~~ *may* adopt rules or guidelines concerning the application for a deduction under this section.

(h) This subsection does not apply to property in the first year for which a deduction is claimed under this section if the sole reason that a deduction is claimed on other property is that the individual or married couple maintained a principal residence at the other property on ~~March~~ *the assessment date* in the same year in which an application for a deduction is filed under this section or, if the application is for a homestead that is assessed as personal property, on ~~March~~ *the assessment date* in the immediately preceding year and the individual or married couple is moving the individual's or married couple's principal residence to the property that is the subject of the application. Except as provided in subsection (n), the county auditor may not grant an individual or a married couple a deduction under this section if:

(1) the individual or married couple, for the same year, claims the deduction on two (2) or more different applications for the deduction; and

(2) the applications claim the deduction for different property.

(i) The department of local government finance shall provide secure access to county auditors to a homestead property data base that includes access to the homestead owner's name and the numbers required from the homestead owner under subsection (e)(4) for the sole purpose of verifying whether an owner is wrongly claiming a deduction under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or IC 6-3.5.

(j) A county auditor may require an individual to provide evidence proving that the individual's residence is the individual's principal place of residence as claimed in the certified statement filed under subsection (e). The county auditor may limit the evidence that an individual is required to submit to a state income tax return, a valid driver's license, or a valid voter registration card showing that the residence for which the deduction is claimed is the individual's principal place of residence. The department of local government finance shall work with county auditors to develop procedures to determine whether a property owner that is claiming a standard deduction or homestead credit is not eligible for the standard deduction or homestead credit because the property owner's principal place of residence is outside Indiana.

(k) As used in this section, "homestead" includes property that satisfies each of the following requirements:

(1) The property is located in Indiana and consists of a dwelling



and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

(2) The property is the principal place of residence of an individual.

(3) The property is owned by an entity that is not described in subsection (a)(2)(B).

(4) The individual residing on the property is a shareholder, partner, or member of the entity that owns the property.

(5) The property was eligible for the standard deduction under this section on March 1, 2009.

(l) If a county auditor terminates a deduction for property described in subsection (k) with respect to property taxes that are:

(1) imposed for an assessment date in 2009; and

(2) first due and payable in 2010;

on the grounds that the property is not owned by an entity described in subsection (a)(2)(B), the county auditor shall reinstate the deduction if the taxpayer provides proof that the property is eligible for the deduction in accordance with subsection (k) and that the individual residing on the property is not claiming the deduction for any other property.

(m) For assessment dates after 2009, the term "homestead" includes:

(1) a deck or patio;

(2) a gazebo; or

(3) another residential yard structure, as defined in rules *that may be* adopted by the department of local government finance (other than a swimming pool);

that is assessed as real property and attached to the dwelling.

(n) A county auditor shall grant an individual a deduction under this section regardless of whether the individual and the individual's spouse claim a deduction on two (2) different applications and each application claims a deduction for different property if the property owned by the individual's spouse is located outside Indiana and the individual files an affidavit with the county auditor containing the following information:

(1) The names of the county and state in which the individual's spouse claims a deduction substantially similar to the deduction allowed by this section.

(2) A statement made under penalty of perjury that the following are true:

(A) That the individual and the individual's spouse maintain separate principal places of residence.

(B) That neither the individual nor the individual's spouse has



an ownership interest in the other's principal place of residence.

(C) That neither the individual nor the individual's spouse has, for that same year, claimed a standard or substantially similar deduction for any property other than the property maintained as a principal place of residence by the respective individuals.

A county auditor may require an individual or an individual's spouse to provide evidence of the accuracy of the information contained in an affidavit submitted under this subsection. The evidence required of the individual or the individual's spouse may include state income tax returns, excise tax payment information, property tax payment information, driver license information, and voter registration information.

(o) If:

(1) a property owner files a statement under subsection (e) to claim the deduction provided by this section for a particular property; and

(2) the county auditor receiving the filed statement determines that the property owner's property is not eligible for the deduction; the county auditor shall inform the property owner of the county auditor's determination in writing. If a property owner's property is not eligible for the deduction because the county auditor has determined that the property is not the property owner's principal place of residence, the property owner may appeal the county auditor's determination to the county property tax assessment board of appeals as provided in IC 6-1.1-15. The county auditor shall inform the property owner of the owner's right to appeal to the county property tax assessment board of appeals when the county auditor informs the property owner of the county auditor's determination under this subsection.

(p) An individual is entitled to the deduction under this section for a homestead for a particular assessment date if:

(1) either:

(A) the individual's interest in the homestead as described in subsection (a)(2)(B) is conveyed to the individual after the assessment date, but within the calendar year in which the assessment date occurs; or

(B) the individual contracts to purchase the homestead after the assessment date, but within the calendar year in which the assessment date occurs;

(2) on the assessment date:

(A) the property on which the homestead is currently located



was vacant land; or

(B) the construction of the dwelling that constitutes the homestead was not completed;

(3) either:

(A) the individual files the certified statement required by subsection (e) on or before December 31 of the calendar year in which the assessment date occurs to claim the deduction under this section; or

(B) a sales disclosure form that meets the requirements of section 44 of this chapter is submitted to the county assessor on or before December 31 of the calendar year for the individual's purchase of the homestead; and

(4) the individual files with the county auditor on or before December 31 of the calendar year in which the assessment date occurs a statement that:

(A) lists any other property for which the individual would otherwise receive a deduction under this section for the assessment date; *and*

(B) *cancels the deduction described in clause (A) for that property.*

An individual who satisfies the requirements of subdivisions (1) through (4) is entitled to the deduction under this section for the homestead for the assessment date, even if on the assessment date the property on which the homestead is currently located was vacant land or the construction of the dwelling that constitutes the homestead was not completed. The county auditor shall apply the deduction for the assessment date and for the assessment date in any later year in which the homestead remains eligible for the deduction. A homestead that qualifies for the deduction under this section as provided in this subsection is considered a homestead for purposes of section 37.5 of this chapter and IC 6-1.1-20.6. *The county auditor shall cancel the deduction under this section for any property that is located in the county and is listed on the statement filed by the individual under subdivision (4). If the property listed on the statement filed under subdivision (4) is located in another county, the county auditor who receives the statement shall forward the statement to the county auditor of that other county, and the county auditor of that other county shall cancel the deduction under this section for that property.*

(q) This subsection applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013. Notwithstanding any other provision of this section, an individual buying a mobile home that is not assessed as real



property or a manufactured home that is not assessed as real property under a contract providing that the individual is to pay the property taxes on the mobile home or manufactured home is not entitled to the deduction provided by this section unless the parties to the contract comply with IC 9-17-6-17.

(r) This subsection:

(1) applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013; and

(2) does not apply to an individual described in subsection (q).

The owner of a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction provided by this section.

(s) For assessment dates after 2013, the term "homestead" includes property that is owned by an individual who:

(1) is serving on active duty in any branch of the armed forces of the United States;

(2) was ordered to transfer to a location outside Indiana; and

(3) was otherwise eligible, without regard to this subsection, for the deduction under this section for the property for the assessment date immediately preceding the transfer date specified in the order described in subdivision (2).

For property to qualify under this subsection for the deduction provided by this section, the individual described in subdivisions (1) through (3) must submit to the county auditor a copy of the individual's transfer orders or other information sufficient to show that the individual was ordered to transfer to a location outside Indiana. The property continues to qualify for the deduction provided by this section until the individual ceases to be on active duty, the property is sold, or the individual's ownership interest is otherwise terminated, whichever occurs first. Notwithstanding subsection (a)(2), the property remains a homestead regardless of whether the property continues to be the individual's principal place of residence after the individual transfers to a location outside Indiana. **However, The property continues to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana and is serving on active duty, if the individual has lived at the property at any time during the past ten (10) years. Otherwise,** the property ceases to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana. Property that qualifies as a homestead under this subsection shall also be construed as a homestead for purposes of



section 37.5 of this chapter.

SECTION 5. [EFFECTIVE JANUARY 1, 2017] (a) **IC 6-1.1-12-14.5, as added by this act, and IC 6-1.1-12-13, IC 6-1.1-12-14, and IC 6-1.1-12-37, all as amended by this act, apply to assessment dates after December 31, 2016.**

**(b) This SECTION expires January 1, 2020."**

Delete pages 2 through 6.

and when so amended that said bill do pass.

(Reference is to SB 304 as introduced.)

HERSHMAN, Chairperson

Committee Vote: Yeas 13, Nays 0.

